

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

)  
MONSTER ENERGY CORPORATION, )  
a Delaware corporation, )  
Plaintiff, )  
vs. ) CAUSE NO. 2:21-cv-179  
)  
R&R MEDICALL, LLC d/b/a Bear Komplex, )  
an Indiana limited liability company, )  
Defendant. )

**ORDER AND NOTICE OF RULE 16 PRELIMINARY PRETRIAL CONFERENCE**

In accordance with Federal Rule of Civil Procedure 16, this cause is now set for a Preliminary Pretrial Conference before Magistrate Judge Joshua P. Kolar to be held on the **29th day of July 2021, at 09:15 A.M. (CDT)**. This is conference will be held telephonically unless the parties request to appear in person. Parties are instructed to dial **877-336-1280** and enter access code **3293676#** when prompted to join the conference.

Counsel shall indicate whether their clients are willing to consent to transfer this case to a Magistrate Judge for all purposes, including trial, by executing and submitting the consent form. The consent form can be executed and returned to the Clerk's Office by one of the following means: by email at [hmdclerks@innd.uscourts.gov](mailto:hmdclerks@innd.uscourts.gov), or by the United States mail, by personal delivery, or by orally consenting during the preliminary pretrial conference. Parties should only indicate a willingness to consent at the pretrial conference if it is understood that all parties intend to consent. Pursuant to General Order 2018-2, counsel or parties shall submit their consent forms not later than 21 days after the preliminary pretrial conference.

**At the conference counsel shall be prepared to address the following:**

- 1. A proposed Discovery Plan under Federal Rule of Civil Procedure 26(f) to be**

**filed no later than five (5) business days prior to the pretrial conference.** Counsel are directed to the court's website, [www.innd.uscourts.gov](http://www.innd.uscourts.gov), under "Forms/Civil Case Forms" for a suitable form of report and discovery plan ("Report of Parties' Planning Meeting"). At the conference the court will address those topics listed at Rule 16(b) and (c). Failure to timely file the report and proposed discovery plan may result in the imposition of sanctions in accordance with Rule 16(f). At the conference, it is anticipated that the court will approve or modify the Report of Parties' Planning Meeting and set an appropriate case management schedule.

**2. Consideration of the various forms of Alternative Dispute Resolution ("ADR"), including mediation.** If mediation is selected, the parties shall identify the mediator and in the event counsel cannot agree on a mediator then the court will make the selection. Counsel may review the list of mediators located on the court's website under <http://www.innd.uscourts.gov/Mediation>, prior to the preliminary pretrial conference.

ENTERED this 13th day of July, 2021.

s/Joshua P. Kolar  
United States Magistrate Judge